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SCHOOL & MASS EDUCATION DEPARTMENT

NOTIFICATION

The 3rd March, 2017

S.R.O. No.94/2017— Whereas, the draft of certain rules, regulating the EPF and *ex gratia* benefit of the employees of the Odisha Non-Government Aided High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas were published as required by sub-section(1) of Section 27 read with Section 10 (1) of the Odisha Education Act, 1969 (Odisha Act 15 of 1969) in the Extraordinary issue No. 2431 of the *Odisha Gazette*, dated the 30th December,2016, under the notification of the Government of Odisha in the School & Mass Education Department No. 25433/SME., dated the 23rd December, 2016 bearing **S.R.O. No. 653/2016** inviting objection or suggestion from all persons likely to be affected thereby, till the expiry of a period of fifteen days from the date of publication of the said notification in the *Odisha Gazette*.

And, whereas, the objections and suggestions received on the said draft during the stipulated period have been duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by Section 27 of the Odisha Education Act, 1969 (Odisha Act 15 of 1969), the State Government do hereby make the following rules, namely :—

1. Short Title and Commencement:— (1) These rules may be called the Odisha Education (Employees Provident Fund and *ex gratia* benefit) Rules, 2017.

(2) They shall come into force with effect from the 1st day of June, 2016.

2. Definitions:— (1) In these rules, unless the context, otherwise requires —

(a) The Authority under the Odisha Education Act, 1992 (Odisha Act 15 of 1992).

(b) "Employees" means the employees of private Aided Educational Institutions who are covered under the Odisha Education (Payment of Grant-in-Aid to High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas) Order, 2013;

(c) "Government" means the Government of Odisha in School & Mass Education Department.

(2) All other words and expressions used but not defined in these Rules shall have the same meaning as respectively assigned to them in the Act and the Odisha Education (Payment of Grant-in-Aid to High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas) Order, 2013.

3. Application:—They shall apply to the employees of private Aided Educational Institutions who are covered under the Odisha Education (Payment of Grant-in-Aid to High Schools, Upper Primary (M.E) Schools, Sanskrit Tols and Madrasas) Order, 2013.

4. Admissibility of Provident Fund Scheme:— (1) Employees who have been employed in an aided educational institution and covered under rule 3 shall be covered under the provisions of the Employees Provident Fund Scheme, 1952 made under the provisions of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

(2) The State Government shall provide funds as a social security measures to the Managing Committee of the educational institutions covered under rule3 for employer's share towards contribution to Employees Provident Fund @ of 13.36 % of the Grant-in-Aid subject to condition that all the employees of the institution are covered under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Scheme framed thereunder.

5. Ex gratia :— (1) An *ex gratia* of Rs.2 lakh (Rupees Two lakh) shall be paid to the next of kin of any employees who dies while in service and in case of permanent incapacitation, an *ex gratia* of Rs.1.5 lakh (Rupees One Lakh fifty thousand) shall be paid to such employees .

(2) If an employee receives any *ex gratia* towards death or permanent incapacitation under the provision of EPF Act and the Scheme framed there under, shall not be eligible for *ex gratia* under rule 5(1) .

6. The State Government may frame Scheme not inconsistent with the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and the Schemes made thereunder, prescribing detail modalities in order to carry out the provisions of these rules in consultation with the Finance Department.

[No. 3705-IX-SME-Sch-61/2016/SME.]

By Order of the Governor

RANJANA CHOPRA
Commissioner-cum-Secretary to Government